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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/577,722	05/23/2000	Jason Y. Blakely	RSW9-1999-0104	3618

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IBM CORPORATION  
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EXAMINER

NGUYEN, DANG T

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 05/07/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/577,722

Applicant(s)

BLAKELY ET AL.

Examiner

Dang T Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-9 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 23 May 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to applicant amendment filed on 03/08/2004.
2. Claims 1 - 9, are pending in this case. Claims 1, 4 and 7 are independent claims.
3. The rejection of claims 1-9 under 35 USC 102 (b) as being anticipated by Carbonell et al. has been withdrawn pursuant to the applicant's argument.

### ***Specification***

4. The title of the Specification has been amended with "METHOD AND SYSTEM FOR DYNAMIC CREATION OF MIXED LANGUAGE HYPERTEXT MARKUP LANGUAGE CONTENT THROUGH MACHINE TRANSLATION".

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1 - 9 are rejected under 35 U.S.C. 102(e) as being anticipated by  
Lakritz U.S. Patent No. 6,623,529 B1 – filed Jan. 28, 1999.**

**Regarding independent claims 1, 4, and 7, Figure 12 of Lakritz discloses a  
computer system of Multilingual electronic document translation system, comprising the**

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step of: creating text in the first language (Col. 21 line 49, for disclosing a document in English Language) using HTML 'lang' attribute (Col. 21 lines 43-47, for disclosing a n HTML language attribute of "language = french" to set at least one target language (Col. 21 line 49 "French") which is different from the first language [English]; and automatically programmatically translating the first language into said at least one target language (Col. 21 lines 49-59, for disclosing the user currently looking at an English document by a browser, and selecting the word "French" will cause the browser to send WebPlexer a request for the URL the language=french, and the WebPlexer will return the browser to the original document in the new language is French).

**Regarding dependent claims 3, 6 and 9**, Fig. 12 of Lakritz further discloses at least one target language comprises a plurality of languages (Fig. 12 [1210 - 1215] *disclosing multiple target translation languages: English, French, German, Japanese, Italian, Spanish*) resulting in translation into a mixed language content (Col. 13 lines 28 - 37, *[disclosing a translation sequence 1026 with translation resoures 1207 - 1029 for target language of translation; and on Col. 14 lines 5 - 17, disclosing after completion of translation of workflow sequence 1206 , the translated document or resulted of translation is install on the website 1203 and reference into mixlanguage content 1210:English, 1211:French, 1212: German, 1213:Japanese, 1214: Italian, 1215: Spanish]*).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 2, 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lakritz U.S. Patent No. 6,623,529 B1 – filed Jan. 28, 1999 in view of Grefenstette U.S. patent No. 6,396,951 filed on 12/23/1998.**

**Regarding dependent claims 2, 5 and 8,** Lakritz as applied to claims 1, 4 and 7 above disclosed every aspect of applicant's claimed invention except for using Language Guessing to determine the first language.

Figs. 1 and 3A - 3C of Grefenstette disclose a system for translation from the first language to a second language or target language (Col. 1 line 66 - Col. 2 line 4) using Language Guessing to determine the first language (Fig. 3A Step S8, See Col. 6 lines 18 - 36).

Lakritz and Grefenstette are solving common subject matter of languages translation for internet-based system (See Grefenstette, Col. 8 lines 38 - 42, and Lakritz Col. 3 lines 25 - 37). It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the Language Guessing for the first language

taught by translation system of Gefenstette to translation system of Lakritz for the purpose of determine or identify the original language or language candidate to be translate if the original language is not know in advance (Grefenstte Col. 6 lines 17 - 34).

### ***Response to Arguments***

**7. Applicant's argument is persuasive, however a new ground of rejection specially the references with Patent No.: US 6,623,529 B1 and US 6,396,951 B1 as noted supra is applying to this office action.**

### ***Prior art***

**8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.**

Kasai et al                      Pub. No.: US 2001/0018649A1                      Pub. Date: Aug. 30, 2001

Rincon et al.                      Patent No.: US 6,512,448 B1                      Date of Patent: Jan. 28, 2003

### ***Conclusion***

**9. Any inquiry concerning this communication from the examiner should be directed to Dang Nguyen, who can be reached by telephone at (703) 305-1673. Normal contact times are M-F, 8-4:30.**

Upon an unsuccessful attempt to contact the examiner, the examiner's supervisor, Heather Herndon, may be reached at (703) 308-5186.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist, whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 746-7239 (for formal communications intended for entry)

or:

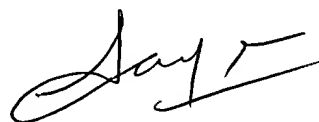
(703) 746-7238 (for after-final communications)

Hand-delivered responses should be brought to

Crystal Park II, 2121 Crystal Drive

Arlington, VA, Fourth Floor (receptionist).

Dang Nguyen 04/26/04



**SANJIV SHAH**  
**PRIMARY EXAMINER**